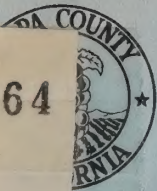


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## NAPA COUNTY

### LOCAL AGENCY FORMATION COMMISSION

Armand Greco, Chairman  
James H. Hickey, Executive Officer

INSTITUTE OF GOVERNMENTAL  
POLITICS

JAN 10 1977

#### PURPOSE

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The California Government Code provides that the purpose of a Local Agency Formation Commission includes "the discouragement of urban sprawl and the encouragement of the orderly formation and development of local governmental agencies based upon local conditions and circumstances." The Code also provides that "one of the objects of the local agency formation commission is to make studies and to obtain and furnish information which will contribute to the logical and reasonable development of local governments in each county and to shape the development of local governmental agencies so as to advantageously provide for the present and future needs of each county and its communities."

In order to carry out the responsibilities for promoting orderly development and the coordination of local governmental agencies, LAFCO's are required to develop and determine a sphere of influence for each local governmental agency within its jurisdiction. A sphere of influence is a plan for the ultimate physical boundaries and service area of a local governmental agency.

Once spheres of influence are adopted by a LAFCO, they are to be used as one factor in making regular decisions on proposals over which the Commission



has jurisdiction. The law also identified numerous factors that LAFCO must consider in their review of proposals.

#### GENERAL POWERS AND DUTIES

The general powers and duties given to local agency formation commissions are enumerated in two legislative acts: the Knox-Nisbet Act of 1963, and the District Reorganization Act of 1965 (DRA). Both acts give LAFCO's a similar regulatory power over formation and alteration of the structure of cities and special districts. The powers and duties given to the Commission under the Knox-Nisbet Act are as follows:

- (a) To review and approve or disapprove with or without amendment, wholly, partially, or conditionally, proposals for:
  - 1) The incorporation of cities;
  - 2) The formation of special districts; and
  - 3) The annexation of territory to local agencies provided that a commission shall not impose any conditions which would directly regulate land use or subdivision requirements. A commission may require, as a condition of annexation, that a city prezone the territory to be annexed, provided that the commission shall not specify how or in what manner the territory shall be prezoned.
  - 4) The exclusion of territory from a city.
  - 5) The disincorporation of a city.
  - 6) The consolidation of two or more cities.
  - 7) The development of new communities within the jurisdiction of the commission.



- (b) To adopt standards and procedures for the evaluation of proposals.
- (c) To make and enforce rules and regulations for the orderly and fair conduct of hearings by the commission....

While the Knox-Nisbet Act deals primarily with structural changes involving cities and with the formation of special districts, the District Reorganization Act (DRA) provides uniform procedures for boundary changes involving special districts. The DRA establishes procedures for two types of proceedings involving special districts. The first of these proceedings is a "change of organization" which is defined as one of the following: Annexation or detachment of territory to or from a special district; the dissolution of a special district; the consolidation of two or more districts; the merger of a district with a city; or the establishment of a district as a subsidiary district of a city. The second type of proceedings is a "district reorganization" which is defined as two or more changes of organization which are taken simultaneously. In dealing with these proceedings concerning special districts, the basic functions and conditioning powers of LAFCO's under the DRA are the same as with the Knox-Nisbet Act.

#### COMPOSITION

As established by the Knox-Nisbet Act in 1963, the composition of the Commission is based on equality of participation between the county and the cities. Thus, the Commission's permanent composition includes:

1. Two county supervisors selected by the Board of Supervisors.
2. Two city councilmen selected by a majority of the mayors and councilmen in the county.
3. One public member selected by the other four members.



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Commission members serve four year terms but may be removed at any time by the appointing body without cause. In addition to regular commission members, the law provides for the designation of one alternative for each category of commissioner. However, the alternates can only serve and vote in the absence or disqualification of a regular member of the same category. The law also provides for special district representation upon approval by the Local Agency Formation Commission.

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